

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

PHILLIP STERLING, SR., §
Plaintiff, §
v. §
UNITED STATES OF AMERICA, §
Defendant. §

ORDER

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the June 8, 2018 findings, conclusions, and recommendation of the magistrate judge are adopted, and defendant's June 1, 2018 partial motion to dismiss (ECF No. 11) is denied without prejudice as moot.

SO ORDERED.

July 5, 2018.

Sidney A. Fitzwater
SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE